

STANDARD APPLICATION  
**Harford County**  
**Board of Appeals**  
Bel Air, Maryland 21014

DEC 2 2003

Case No. 5395  
Date Filed 12/17/03  
Hearing Date \_\_\_\_\_  
Receipt \_\_\_\_\_  
Fee \$450

Shaded Areas for Office Use Only

Type of Application

Nature of Request and Section(s) of Code \_\_\_\_\_

- ☐ Administrative Decision/Interpretation  
☐ Special Exception  
☐ Use Variance  
☐ Change/Extension of Non-Conforming Use  
☐ Minor Area Variance  
☒ Area Variance  
☐ Variance from Requirements of the Code  
☐ Zoning Map/Drafting Correction

CASE 5395 MAP 48 TYPE Variance

ELECTION DISTRICT 3 LOCATION 603 Vale Road, Bel Air, Md. 21014

BY Bel Forest Baptist Church

Appealed because a variance pursuant to Section 267-36B, Table V of the Harford County Code to allow a modular classroom within the 80 foot rear yard setback (proposed 50 foot) in a R2 District requires approval by the Board.

NOTE: A pre-conference is required for property within the NRD/Critical Area or requests for an Integrated Community Shopping Center, a Planned Residential Development, mobile home park and Special Exceptions.

**Applicant/Owner (please print or type)**

Name Bel Forest Baptist Church Phone Number 410/838-6074  
Address 603 Vale Rd Bel Air MD 21014  
Street Number Street City State Zip Code

Co-Applicant \_\_\_\_\_ Phone Number \_\_\_\_\_  
Address \_\_\_\_\_  
Street Number Street City State Zip Code

Contract Purchaser \_\_\_\_\_ Phone Number \_\_\_\_\_  
Address \_\_\_\_\_  
Street Number Street City State Zip Code

Attorney/Representative \_\_\_\_\_ Phone Number \_\_\_\_\_  
Address \_\_\_\_\_  
Street Number Street City State Zip Code

Hearing: 2/4/04

Rev. 12/02

## Land Description

Address and Location of Property 603 Vale Rd  
Bel Air, MD 21014

Subdivision None Lot Number None

Acreage/Lot Size 3.11 acres Election District 03 Zoning B2

Tax Map No. 0048 Grid No. 0001E Parcel 0192 Water/Sewer: Private        Public ☒

List ALL structures on property and current use: Church / School, house, 1 double wide modular, that will be removed if we get variance

Estimated time required to present case: No later than end of May

If this Appeal is in reference to a Building Permit, state number       

Would approval of this petition violate the covenants and restrictions for your property? NO

Is this property located within the County's Chesapeake Bay Critical Area? Yes        No ☒

If so, what is the Critical Area Land Use designations:       

Is this request the result of a zoning enforcement investigation? Yes        No ☒

Is this request within one (1) mile of any incorporated town limits? Yes        No       

## Request

The church currently has a 80' setback from the fence. We would like to encroach into S/D so we can have a 60' x 60' modular Classroom. We will maintain 50' from the rear lot line.

## Justification

Currently we have a 24 x 60' modular, we want to remove that and install a 60' x 60' which would allow for 6-20 x 30' Classrooms. There isn't any other area to put the 60 x 60', that wouldn't interfere with something. This would allow our School to go to the 8th grade. Such as it would cross over into the children's playground and other setbacks.

*If additional space is needed, attach sheet to application. In answering the above questions, please refer to the Requirements that pertain to the type of approval request. (Special Exception, Variance, Critical Area or Natural Resource District (NRD) Variance, etc.)*

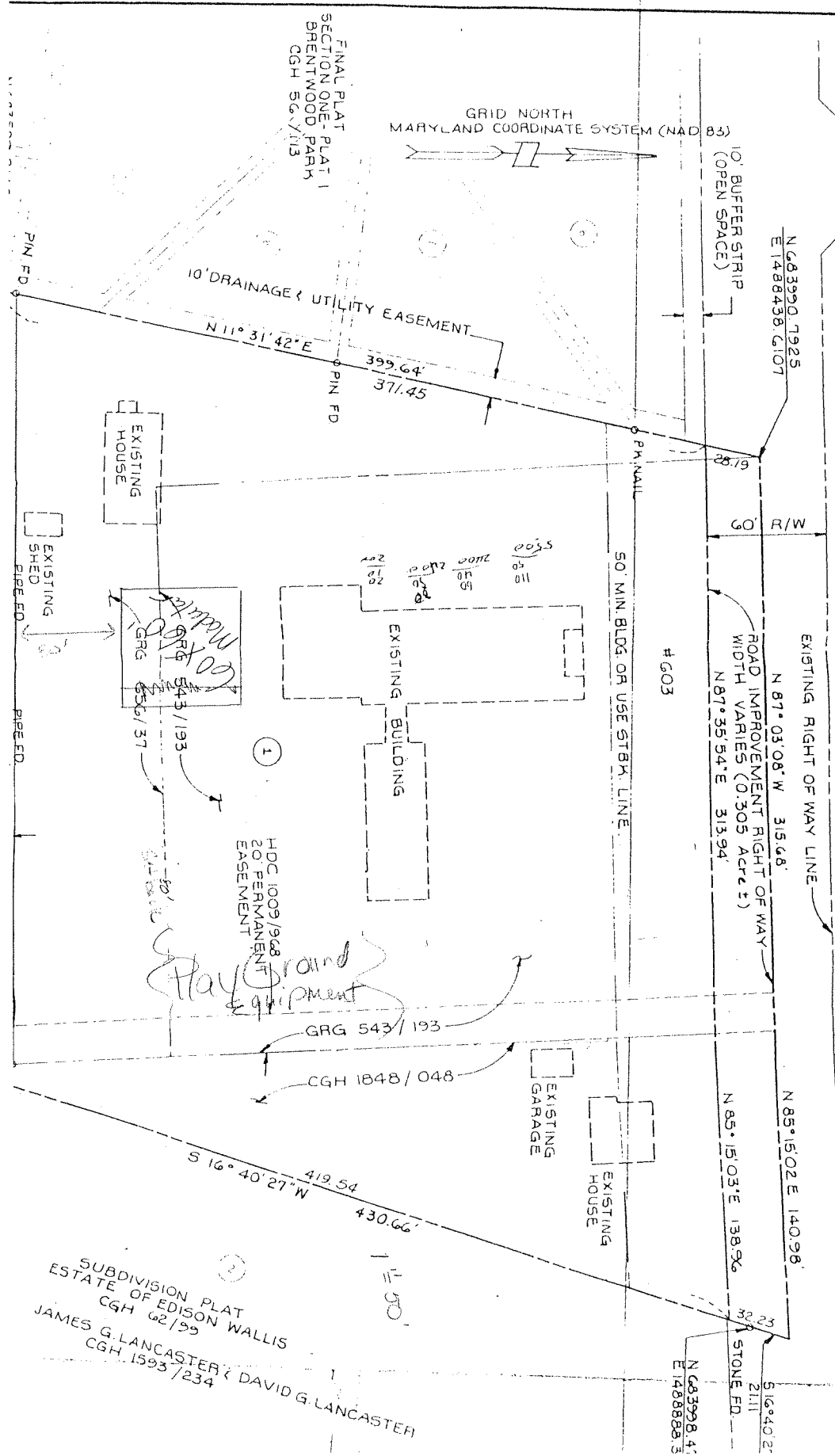
FINAL PLAT I - SECTION I  
PARLIAMENT RIDGE  
HDC 30/97

IPSWICH DRIVE

VALE ROAD

FINAL PLAT I - SECTION I  
MARYWOOD II  
HDC 40/19

VANDERBILT ROAD



7,121  
36,000  
14,400  
5,000

SUBDIVISION PLAT  
ESTATE OF EDISON WALLIS  
CGH 62/99  
JAMES G. LANCASTER & DAVID G. LANCASTER  
CGH 1593/234

**JAMES M. HARKINS**  
HARFORD COUNTY EXECUTIVE

**JOHN J. O'NEILL, JR.**  
DIRECTOR OF ADMINISTRATION



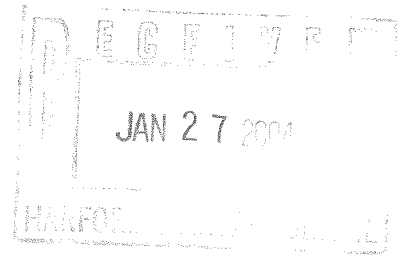
**J. STEVEN KAI-ZIEGLER**  
DIRECTOR OF PLANNING & ZONING

## HARFORD COUNTY GOVERNMENT

### Department of Planning and Zoning

January 23, 2004

#### STAFF REPORT



#### **BOARD OF APPEALS CASE NO. 5395**

APPLICANT/OWNER: Bel Forest Baptist Church  
603 Vale Road, Bel Air, Maryland 21014

REPRESENTATIVE: Applicant

LOCATION: 603 Vale Road  
Tax Map: 48 / Grid: 1E / Parcel: 0192  
Election District: Third (3)

ACREAGE: 3.11 acres

ZONING: R2/Urban Residential District

DATE FILED: December 19, 2003

HEARING DATE: February 4, 2004

#### **APPLICANT'S REQUEST and JUSTIFICATION:**

##### Request:

"The church currently has a 80' setback from the fence. We would like to encroach into s/b so we can have a 60'x 60' modular classroom. We will maintain 50' from the rear lot line."

*Preserving our values, protecting our future*

220 SOUTH MAIN STREET BEL AIR, MARYLAND 21014 410-638-3000 • 410-879-2000 • TTY 410-638-3086 • [www.co.ha.md.us](http://www.co.ha.md.us)

*This document is available in alternative format upon request.*

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Bel Forest Baptist Church

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### Justification:

“Currently we have a 24’ x 60’ modular, we want to remove that and install a 60’ x 60’ which would allow for 6 – 20’ x 30’ classrooms. There isn’t any other area to put the 60’ x 60’, that wouldn’t interfere with something such as, it would cross over into the children’s playground and other setbacks. This would allow our school to go to the 8<sup>th</sup> grade.”

### **CODE REQUIREMENTS:**

The Applicant is requesting a variance pursuant to Section 267-36B, Table V of the Harford County Code to allow a modular classroom within the 80-foot rear yard setback (50-foot proposed) in an R2/Urban Residential District.

Enclosed with the report is a copy of Section 267-36B, Table V of the Harford County Code (Attachment 1).

### **LAND USE and ZONING ANALYSIS:**

#### Land Use – Master Plan:

The Applicant’s property is located on the south side of Vale Road west of the Bel Air (US Route 1) Bypass. A location map and a copy of the Applicant’s site plan are enclosed with the report (Attachments 2 and 3).

The subject property is located within the Development Envelope. The land use designations in the area include Low and Medium Intensities. The Natural Features map reflects parks and stream valley systems. The subject property is designated as Medium Intensity, which is defined by the 1996 Master Plan as:

**Medium Intensity** - Areas within the Development Envelope where residential development is the primary land use. Density ranges from 3.5 to 7.0 dwelling units per acre. Grocery stores, and other commercial uses are examples of some of the more intensive uses associated with this designation.

Enclosed with the report are copies of portions of the 1996 Land Use Map and the Natural Resources Map (Attachments 4 and 5).

#### Land Use – Existing:

The existing land uses in the area conform to the overall intent of the Master Plan. The predominant land use is residential. Residential uses include conventional single-family dwellings, garden apartments, townhouses and condominiums. Commercial uses are generally found within the Town of Bel Air and along Route 24. The portion of Brentwood Park that

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backs up to the Applicant's property is developed with conventional single-family dwellings. Enclosed with the report is a copy of the aerial photograph (Attachment 6).

The subject property is located on the south side of Vale Road approximately 1,300-feet west of the Route 1 – Bel Air Bypass. The overall property consists of 3.11 acres. The topography of the property is considered level to gently rolling (Attachment 7). Parcel 192 contains a large brick and frame church building. The large portion is the church sanctuary with a two-story addition attached to the rear and a one-story wing serving as Sunday school rooms and the church's Christian School. To the rear of the main building is a wooden deck and ramp that leads to a portable building serving as church offices. To the rear and right side of the church property is a brick rancher, which is the church parsonage and behind the parsonage is a frame shed. To the right side of the church and in front of the parsonage is a paved parking area with access directly to Vale Road. In front of the church is a circular driveway that leads to an area of parking to the left side. Most of the rear of the property is fenced and used as playground activities for the school. Parcel 87 is improved with a house and garage and was purchased in recent years by the church. The church property is bordered on the west and south sides by the Brentwood residential subdivision. Directly across Vale Road to the north are the Marywood II and Parliament Ridge subdivisions. The topography of the site is level to gently sloping. Enclosed with the report are site photographs along with an enlargement of the aerial photograph (Attachments 8 and 9).

### Zoning:

The zoning patterns conform to the overall intent of the Master Plan. Residential zoning ranges from R1 to R3/Urban Residential Districts. The subject property is zoned R2/Urban Residential District (Attachment 10).

### **SUMMARY:**

The Applicant is requesting a variance pursuant to Section 267-36B, Table V of the Harford County Code to allow a modular classroom within the 80-foot rear yard setback (50-foot proposed) in an R2/Urban Residential District.

Variances of this nature may be approved by the Board of Appeals pursuant to Section 267-11 of the Harford County Code, provided it finds by reason of the uniqueness of the property or topographical conditions that literal enforcement of the Code would result in practical difficulty and undue hardship. Further, the Applicant must show that the request will not be substantially detrimental to adjacent properties or will not materially impair the purpose of the Code or the public interest.

The Department finds that the subject property is unique based on its configuration and existing improvements. The existing 24-foot by 60-foot modular unit serving as offices will be removed to make room for the proposed 60-foot by 60-foot modular unit. This is the most practical location for the expansion of the church facilities. The existing structures and necessary play

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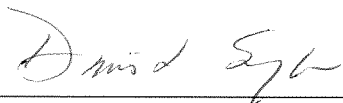
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areas limit the available room for any additions. Trees have been planted on the outside of the fenced area in Brentwood Park that will offer some screening; however, additional landscaping should be provided. The Applicant will still be able to maintain the 50-foot use setback. The variance should not have an adverse impact on the adjacent residential properties.

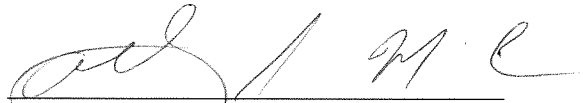
**RECOMMENDATION and or SUGGESTED CONDITIONS:**

The Department of Planning and Zoning recommends that the subject request to locate the 60-foot by 60-foot portable building within the 80-foot use setback be approved, subject to the following conditions:

1. The Applicant obtain all necessary permits and inspections for the location of the structure.
2. The Applicant submit a landscaping plan to the Department of Planning and Zoning for review and approval.



Dennis J. Sigler, Coordinator  
Zoning & Board of Appeals Review



Anthony S. McClune, AICP  
Deputy Director, Planning and Zoning

DJS/ASM/ka